

REMARKS

Claims 1-6 and 8 are currently pending in the application. By this amendment, claims 1 and 5 are amended to place the application in better condition for allowance. No new matter is added. Reconsideration and allowance of this application in view of the above amendments and the following remarks are respectfully requested.

Response to Comments on Drawings

Applicants appreciate the Examiner's comments that the drawings are acceptable.

Response to Comments Joint Inventorship

Applicants appreciate the Examiner's presumption that the subject matter of the various claims was commonly owned at the time any inventions therein were made. Applicant's representative is not aware of any evidence to the contrary.

Rejections Under 35 U.S.C. § 103

Claims 1-6 and 8 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U. S. Patent No. 6,399,962 issued to Kim ("Kim") in view of JP-A-61-3118 ("JP '118). Applicants presume the Examiner is relying on the drawing figures and the English-language abstract of JP '118 in making the rejection. Therefore, Applicants will respond based only on the drawing figures and abstract, and reserve the right to supplement or modify such arguments should a full translation become available. The above rejection is respectfully traversed.

Three criteria must be met to establish a prima facie case of obviousness. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not be based on applicant's disclosure, which is impermissible hindsight.

Independent claims 1 and 5 recite, in part:

... storage capacity electrodes are electrically isolated from
a gate line and a terminal portion of the TFT.

These features are not suggested or shown, singularly or in combination, by either Kim or JP '118. As aptly noted by the Examiner, Kim does not teach "... at least one portion of the storage capacity electrodes shielding the TFT." JP '118 does not compensate for Kim's omissions and shortcomings. In fact, JP '118 teaches away from using such features as recited in the claimed invention.

Specifically, JP '118 shows a "light shielding metal 9A" connected "onto the gate line 2 through a contact hole 30 provided on the first insulating layer and the second insulating layer." Applicant's specification and drawings show storage electrodes that are electrically isolated from a gate line and from a terminal portion of the TFT.

There would be no motivation to combine the Kim and JP '118 references. The lack of motivation arise from the fact that Kim is solving different problems than those addressed by JP '118. For example, Kim does not contemplate the use of a shielded TFT. JP '118 does not contemplate a storage capacity electrode connected to a ground wire formed on a gate insulation

layer, nor contemplate that the electrode be electrically isolated both from a terminal portion of the TFT and from a gate line. Thus, a person skilled in the art attempting to solve the problems addressed by the present invention, after viewing JP '118's teachings away, would not be motivated to look to solutions to the different problems addressed by Kim. Clearly, neither JP '118 nor Kim, alone or in combination, teach the elements recited in independent claims 1 and 5, but rather teach in opposite directions altogether.

If anything, the combination of references, even though not teaching the presently claimed invention, would be impermissible hindsight reasoning. The only way one of ordinary skill in the art would look at JP '118 to use a shield in view of the Kim reference, would be to first read and understand the present invention. Only after reading and understanding the present invention, would one of ordinary skill in the art be provided with motivation to combine these references. And, this is respectfully submitted as impermissible hindsight, which in any event, still would not result in the claimed invention.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of independent claims 1, 5, and all claims that depend therefrom (e.g. dependent claims 2, 3, 4, 6, and 8).

CONCLUSION

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,



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